

Message Text

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12

ORIGIN EB-11

INFO OCT-01 ARA-16 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

DOT-00 INR-10 NSAE-00 RSC-01 FAA-00 L-03 /051 R

DRAFTED BY EB/AN:MHSTYLES:VLV

APPROVED BY EB/AN:MHSTYLES

ARA/EP - MR. PRINGLE

CAB - MR. LITTON

----- 072689

R 182233Z JUN 74

FM SECSTATE WASHDC

TO AMEMBASSY LIMA

UNCLAS STATE 130369

E.O. 11652: N/A

TAGS: ETRN, PE

SUBJECT: CIVAIR - AEROPERU

1. BRANIFF REPORTS PRESS IN PERU IS REPORTING THAT JUNE 12
RECOMMENDATION OF CAB ADMINISTRATIVE LAW JUDGE ON AEROPERU
CASE CONTAINS TWO CONDITIONS WHICH UNACCEPTABLE TO PERU, AS
FOLLOWS:

A. REQUIREMENT THAT AEROPERU CHARGE SAME TARIFFS AS
BRANIFF.

B. AEROPERU MAY NOT CARRY ANY TRAFFIC BETWEEN US AND POINTS
BEHIND PERU (E.G., CHILE).

2. BOTH STATEMENTS ARE INACCURATE AND MISLEADING. FIRST
CONDITION IS THAT "INITIAL" TARIFF OF AEROPERU BE NO
LOWER THAN TARIFFS IN EFFECT FOR ANY US AIR CARRIER ENGAGED
IN SAME AIR TRANSPORTATION. THERE IS NO CONDITION RE SUB-
SEQUENT TARIFFS. REASON FOR CONDITION IS THAT, UNDER US
LAW, CAB MAY NOT SUSPEND AN INITIAL TARIFF. SECOND CONDI-
TION IS THAT AEROPERU SHALL SERVE POINTS IN US ONLY ON
FLIGHTS ORIGINATING OR TERMINATING IN PERU. THIS SIMPLY
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REFLECTS BILATERAL AGREEMENT ROUTE RIGHTS. IT DOES NOT PRO-

HIBIT AEROPERU FROM CARRYING TRAFFIC FROM,E.G., CHILE VIA
PERU TO U.S., PROVIDED TWO SEPARATE FLIGHTS INVOLVED, ONE

BETWEEN CHILE AND PERU AND OTHER BETWEEN PERU AND U.S.

3. BOTH CONDITIONS ARE STANDARD IN MOST FOREIGN AIR
CARRIER PERMITS. SISCO

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, PRESS COMMENTS, AIR TRANSPORTATION, AIR TRAFFIC, AIRLINES, TARIFFS, AVIATION AGREEMENTS, AIR ROUTES
Control Number: n/a
Copy: SINGLE
Draft Date: 18 JUN 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE130369
Document Source: CORE
Document Unique ID: 00
Drafter: MHSTYLES:VLV
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740159-0774
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740634/aaaabddy.tel
Line Count: 68
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: smithrj
Review Comment: n/a
Review Content Flags:
Review Date: 28 AUG 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <28 AUG 2002 by PhilliR0>; APPROVED <13 JAN 2003 by smithrj>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CIVAIR - AEROPERU
TAGS: ETRN, PE, US, AEROPERU, BRANIFF
To: LIMA
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005